

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
)
Democratic National Committee and) MUR 5183
Andrew Tobias, as treasurer;)
Gore-Lieberman, Inc., and Jose)
Villarreal, as treasurer;)
Keep Hope Alive Political Action)
Committee and Steven B. Cobble,)
as treasurer;)
Jesse L. Jackson, Sr.;)
Rainbow/PUSH Coalition, Inc.;)
Citizenship Education Fund, Inc.;)
People United)

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on March 9, 2004, do hereby certify that the Commission took the following actions with respect to MUR 5183:

A. Failed by a vote of 1-5 to pass a motion to:

1. Find reason to believe that Jesse L. Jackson, Sr., Rainbow/PUSH Coalition, Inc., and Citizenship Education Fund, Inc. violated 2 U.S.C. § 441b.
2. Find reason to believe that the Democratic National Committee and Andrew Tobias, as treasurer, violated 2 U.S.C. §§ 434(b)(6)(B)(i) and 441b, and 11 CFR §§ 102.5 and 106.5.

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3. Find reason to believe that the Democratic National Committee and Andrew Tobias, as treasurer, exceeded the coordinated expenditure limit in violation of 2 U.S.C. § 441a(d) with respect to six events attended by Vice President Gore and Senator Lieberman; and authorize the use of compulsory process to investigate excessive coordinated expenditures in this matter, as necessary.
4. Take no action against Keep Hope Alive PAC and Steven Cobble, as treasurer, and People United at this time.
5. Take no action against Gore-Lieberman, Inc., and Jose Villarreal, as treasurer.
6. Approve the appropriate Factual and Legal Analyses.
7. Authorize the use of compulsory process, including the issuance of appropriate subpoenas to Jesse L. Jackson, Sr., Citizenship Education Fund, Keep Hope Alive Political Action Committee and Steven Cobble, as treasurer, Rainbow/PUSH Coalition, Inc., People United, and the Democratic National Committee, and the issuance of additional interrogatories, document subpoenas, and deposition subpoenas, as necessary.
8. Enter into pre-probable cause conciliation with Jesse L. Jackson, Sr., Citizenship Education Fund, Rainbow/PUSH Coalition, Inc., People United, and the Democratic National Committee and Andrew Tobias, as treasurer.

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9. Approve the appropriate letters.

Commissioner Toner voted affirmatively for the motion.

Commissioners Mason, McDonald, Smith, Thomas, and
Weintraub dissented.

B. Decided by a vote of 5-1 to:

1. Find reason to believe that Jesse L. Jackson, Sr., Rainbow/PUSH Coalition, Inc., and Citizenship Education Fund, Inc. violated 2 U.S.C. § 441b.
2. Find reason to believe that the Democratic National Committee and Andrew Tobias, as treasurer, violated 2 U.S.C. §§ 434(b)(6)(B)(i) and 441b, and 11 CFR §§ 102.5 and 106.5.
3. Approve the appropriate Factual and Legal Analyses.
4. Authorize the use of compulsory process, including the issuance of appropriate subpoenas to Jesse L. Jackson, Sr., Citizenship Education Fund, Keep Hope Alive Political Action Committee and Steven Cobble, as treasurer, Rainbow/PUSH Coalition, Inc., People United, and the Democratic National Committee, and the issuance of additional interrogatories, document subpoenas, and deposition subpoenas, as necessary.

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5. Enter into pre-probable cause conciliation with Jesse L. Jackson, Sr., Citizenship Education Fund, Rainbow/PUSH Coalition, Inc., and the Democratic National Committee and Andrew Tobias, as treasurer.
6. Approve the appropriate letters.

Commissioners Mason, McDonald, Smith, Thomas, and Toner voted affirmatively for the decision.

Commissioner Weintraub dissented.

C. Decided by a vote of 6-0 to:

1. Take no action against Keep Hope Alive PAC and Steven Cobble, as treasurer, and People United at this time.
2. Take no action against Gore-Lieberman, Inc., and Jose Villarreal, as treasurer.

Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

Attest:

March 10, 2004
Date

Darlene Harris
Darlene Harris
Deputy Secretary of the Commission

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